

STATE OF INDIANA)

) SS:

COUNTY OF VANDERBURGH)

IN THE VANDERBURGH SUPERIOR COURT NO. 4
PROBATE DIVISIONIN THE MATTER OF THE ESTATE)
OF ROBERT F. DOERR, II,)
DECEASED)

CAUSE No. 82D04-1903-ES-000

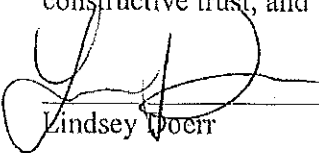
**VERIFIED MOTION FOR INJUNCTIVE RELIEF AND ORDER STAYING
DISTRIBUTION OF ASSETS AND IMPOSITION OF CONSTRUCTIVE TRUST
PENDING CRIMINAL INVESTIGATION**

Comes now, Lindsey Doerr, the Petitioner, by counsel, Joshua M. Mastison, and hereby files a Motion for Injunctive Relief and Order Staying Distribution of Assets and Imposition of Constructive Trust Pending Criminal Investigation and in support thereof states as follows:

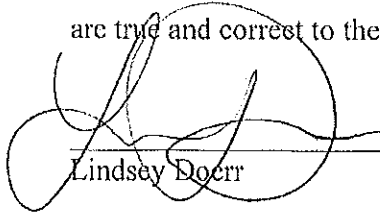
1. On March 8, 2019, the Petitioner filed a Verified Petition for Appointment of Personal Representative, Issuance of Letters of Personal Representative, and for Supervised Administration after the murder of her father, Robert F. Doerr, II.
2. At the time of his death, Robert F. Doerr, II was married to Elizabeth (Fox) Doerr, who has since been arrested and charged in Vanderburgh County, Indiana for crimes alleging Count 1: Obstruction of Justice, a Level 6 Felony and Count 2: False Informing, a Class B Misdemeanor, which are in relation to the murder investigation of the decedent under Cause Number 82D03-1903-F6-001596.
3. As the only biological daughter of Robert F. Doerr, II, Petitioner is seeking to prohibit any distributions of probate and/or non-probate assets of Robert F. Doerr, II, which may be claimed or attempted to be claimed by Elizabeth (Fox) Doerr until criminal proceedings are concluded.
4. Further, Petitioner is requesting the Court impose a constructive trust for any distributions which could statutorily be claimed by Elizabeth (Fox) Doerr, which is appropriate in certain circumstances even if all requirements of the Indiana code are not met. I.C. 29-1-2-12.1, *Heinzman v. Mason*, 694 NE.2d 1164, 1167 (Ind. App. 1998) (Holding the imposition of a constructive trust appropriate where

a husband killed his wife and then committed suicide and could not, therefore, be put on trial for her death).

WHEREFORE, Petitioner, by counsel, respectfully requests that this Court enter an order staying all estate and/or insurance distributions to Elizabeth (Fox) Doerr, establishing a constructive trust, and for all other relief just and proper under the circumstances.


Lindsey Doerr

I swear and affirm under penalty of perjury that the above and foregoing representations are true and correct to the best of my knowledge and belief.


Lindsey Doerr

Respectfully Submitted,

Mastison Law & Mediation

/s/ Joshua M. Mastison

Joshua M. Mastison (#26476-82)

Attorney-at-Law

7899 Bell Oaks Dr., Suite 6

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Newburgh, IN 47629

(812) 518-0215

STATE OF INDIANA)
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COUNTY OF VANDERBURGH)

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OF ROBERT F. DOERR, II,) CAUSE No. 82D04-1903-ES-000
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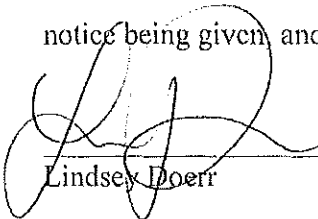
**VERIFIED PETITION TO APPOINTMENT OF PERSONAL REPRESENTATIVE(S),
ISSUANCE OF LETTERS OF PERSONAL REPRESENTATIVE(S), AND FOR
SUPERVISED ADMINISTRATION**

Comes now, Lindsey Doerr, petitioner herein, who being duly sworn upon her oath says that Robert F. Doerr, II, an adult male, age fifty-one (51), died intestate on the 26th day of February, 2019, and states as follows:

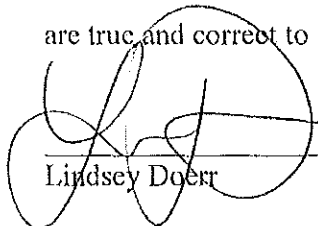
1. That on or about the 26th day of February, 2019, in the City of Evansville, State of Indiana, the decedent passed away at his home located at 2628 Oakley St., Evansville, IN 47710 due to fatal gunshot wounds.
2. That at the time of his death, the decedent was domiciled in Vanderburgh County, State of Indiana, died intestate, and was married to Elizabeth (Fox) Doerr.
3. Elizabeth (Fox) Doerr has been arrested and charged in Vanderburgh County, Indiana for crimes alleging Count 1: Obstruction of Justice, a Level 6 Felony and Count 2: False Informing, a Class B Misdemeanor, which are in relation to the murder investigation of the decedent under Cause Number 82D03-1903-F6-001596.
4. That the decedent left surviving as his heirs the following:
 1. Adult Biological Daughter – Lindsey Doerr of 616 Reis Ave. Evansville, IN 47711;

2. Adult Father – Robert F. Doerr of 601 S. Pecrless Rd., Evansville, IN 47712; and
3. Adult Wife – Elizabeth (Fox) Doerr of 2728 Oakley Street, Evansville, IN 47710,
currently housed at the Vanderburgh County Jail located at 3500 N Harlan Ave,
Evansville, IN 47711.
5. That the Petitioner is interested in the estate of the deceased by reason of being the
only biological child of the deceased.
6. That the personal representative should be appointed for the estate of the decedent for
the administration of such estate with court supervision, according to law.
7. The probable value of the decedent's estate is more than Fifty Thousand Dollars
(\$50,000.00).
8. Decedent's estate is believed to be solvent, and to consist of his residential real estate
and personal property.
9. That all of the decedent's creditors are unknown to the Petitioner as of the time of
filing this Petition for Appointment of Personal Representative.
10. Petitioner requests to serve without bond and with Court supervision.
11. That the name and residence of the person seeking to serve as such personal
representative is Lindsey Doerr, 616 Reis Ave. Evansville, IN 47711, City of
Evansville, State of Indiana, who is duly qualified to serve as personal representative
of the estate of said decedent by her relationship as surviving daughter of the
deceased.
12. That the name and business address of the attorney who is to represent such personal
representative is Joshua M. Mastison, whose office is located at 7899 Bell Oaks
Drive, Suite 6, in the City of Newburgh, State of Indiana.

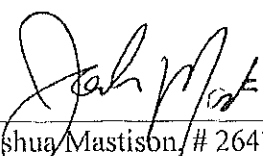
WHEREFORE, the Petitioner prays the Court for an order appointing Lindsey Doerr as personal representative of the estate Robert F. Doerr, II, without bond, directing issuance of Letters of Administration upon proper qualification in the manner provided by law, and that they be authorized to proceed with the supervised administration of the decedent's estate upon proper notice being given, and for all other relief which is just and proper in the premises.


Lindsey Doerr

I swear and affirm under penalty of perjury that the above and foregoing representations are true and correct to the best of my knowledge and belief.


Lindsey Doerr

I certify that the foregoing or attached Court Record or document complies with the requirements of Trial Rule 5(G) with regard to information excluded from the public record under Administrative Rule 9(G).


Joshua Mastison, # 26476-82
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VANDERBURGH SUPERIOR COURT
FILED
MAR 12 2019

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

SAH
CLERK

IN THE VANDERBURGH SUPERIOR COURT NO. 4
PROBATE DIVISION

IN THE MATTER OF THE ESTATE)
OF ROBERT F. DOERR, II,)
DECEASED)
)

CAUSE No. 82D04-1903-ES-000140

OATH OF PERSONAL REPRESENTATIVE

STATE OF INDIANA, VANDERBURGH COUNTY, ss:

I, Lindsey Doerr, swear that I will faithfully discharge the duties of my trust as Personal Representative of the Estate of Robert F. Doerr, II, deceased, according to law; so help me God.

[Signature]
Lindsey Doerr

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, this 12 day of March, 2019, personally appeared Lindsey Doerr, and having been duly sworn upon her oath, acknowledged the execution of the forgoing document. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

CARLA J. HAYDEN
COUNTY CLERK

My Commission Expires

[Signature]
Notary Public

My County of Residence

Printed Name

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

VANDERBURGH SUPERIOR COURT
FILED
MAR 12 2019

SAH
CLERK

IN THE VANDERBURGH SUPERIOR COURT
PROBATE DIVISION

IN THE MATTER OF THE SUPERVISED ESTATE OF:
ROBERT F. DOERR, II, DECEASED

Cause No. 82D04-1903-ES-000140

 LINDSEY DOERR,
PERSONAL REPRESENTATIVE

Instructions to Personal Representative

Listed below are some, but not necessarily all, of the duties of a Personal Representative of an estate. These duties are not listed in any order of priority.

As PERSONAL REPRESENTATIVE one is required to:

1. Locate all property owned individually or otherwise by the decedent at the date of death; and, ascertain the value of such assets as of date of death. Secure all property in safekeeping and maintain adequate insurance coverage; keep records of the assets. If applicable, obtain an appraisal of the property. It is suggested that you immediately fill out a change of address form with the post office in order to make sure that decedent's mail is forwarded to you.

2. Make sure all real estate holdings and motor vehicles are adequately insured.

3. Inventory any safety deposit box in the presence of a disinterested third party or representative of your legal counsel.

4. Keep a separate checking account or other type of transaction account for the Estate and keep a record of all receipts and disbursements. Never commingle Estate funds with any other funds or use them for other than Estate purposes. Accounts and securities

which are registered to the Estate should be in the name "as Personal Representative for the Estate of (name of decedent)". Retain all paid bills and canceled checks or other evidence of disbursement or distribution of any funds or assets of the Estate for the Final Report to the Court.

5. Secure the value of all stocks, bonds, mutual funds, annuities, certificates of deposit, and bank accounts as of the date of decedent's death.

6.. Within two (2) months after the estate is opened, you must file with the Court an Inventory of all property found belonging to the decedent on date of death, giving values as of the date of death.

5. Obtain Consent to Transfer forms from the County Assessor for accounts and securities in order to transfer such assets.

6. Collect any proceeds of life insurance on the life of the decedent which is payable to the Estate. Obtain Form 712 from insurance company, if needed, for taxes.

7. As a personal representative with respect to the estate property, you are required to observe a standard of care and conduct applicable to a prudent person in handling the estate assets.

8. Inspect all documents and personal papers of the decedent and retain anything pertinent to tax reporting, location and value of assets, debts or obligations of or to the decedent, or any other items of significance to administering the final affairs of decedent.

9. Pay all legal debts and funeral bills; however, pay only priority claims timely filed if there is any question of insolvency of the Estate. Do not pay bills which are doubtful but refer them for Court determination. Do not make any distribution to any heir or beneficiary

until at least three (3) months after the date of first publication by notice, unless an earlier distribution is allowed by Order of the Court.

10. Prepare and file returns and pay taxes due (or claim any refund) for both State and Federal income taxes for the tax year in which the decedent died and any prior years, if applicable.

11. Prepare and file the prescribed Schedule and pay any tax due for the Indiana Inheritance tax due within nine (9) months after the date of death. Do the same for Federal Estate tax if required, within one (1) year.

12. Unless subject to an exception, obtain a federal tax identification number for the Estate. Choose a tax year for the Estate; file Estate income tax returns and pay any tax due for both State and Federal income tax.

13. File a Final Report to the Court (with "vouchers"); obtain authorization for and make distributions; obtain receipts for distributions; file a Supplemental Report to the Court (with "vouchers") and obtain an order for closure of the Estate.

14. Pay Court costs and expenses of administration when due.

15. Be sure to make payments and distributions to the right persons. The Personal Representative is responsible for incorrect payments or distributions.

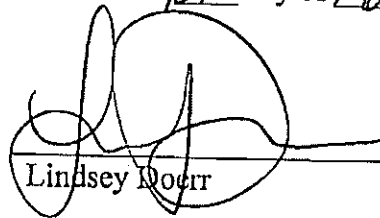
16. Do not make any distributions to an heir, legatee, or devisee without advising our office. Partial distributions of estate assets are not permitted under Indiana Code until the claim period expires.

17. You are required by law to attempt to finalize the estate administration within one (1) year. If you are unable to accomplish this within that time frame, then you will need to advise the Court of the reason for the delay.

18. You are entitled to a reasonable fee for the services that you render as personal representative of the decedent's estate, unless you waive the fee. However, you must keep an accurate ledger of the time you have expended on the estate in order to be compensated, as well as receipts for your out-of-pocket expenses. Since this estate is unsupervised, the Court will not be formally approving your fees. However, if a beneficiary objects to your fees, you will need records to justify and defend same. NO FEES ARE TO BE TAKEN BY YOU AS PERSONAL REPRESENTATIVE UNTIL THE ESTATE ADMINISTRATION IS READY TO BE FINALIZED AND YOU HAVE DISCUSSED THE SAME WITH MY OFFICE.

19. You will be required to prepare a complete written account of your administration and provide each beneficiary, heir or devisee with a copy. After the accounting is made, you can make distribution of the estate assets. After final distribution of the estate assets, you will be in a position to submit a closing statement to the Court.

Provided to the Personal Representative this 12 day of March, 2019.


Lindsey Doerr